

Effective September 25, 2020, the following rules read as follows:

Env-Wt 102.30 “Bog” means a wetland distinguished by stunted evergreen trees and shrubs, peat deposits, poor drainage, highly acidic soil conditions, highly acidic water conditions, or any combination thereof, as determined using “Natural Communities of New Hampshire”, 2nd edition, published by UNH Cooperative Extension dated 2011, available as noted in Appendix B.

Env-Wt 103.27 “LAC jurisdiction” means the authority conferred by RSA 483:8-a, III upon a local river management advisory committee relative to activities within a designated river or river corridor, provided that for purpose of routine roadway maintenance activities conducted under an SPN, registration, PBN, or EXP, LAC jurisdiction shall be limited to activities located in or within 250 feet of a designated river where the activity will occur on a Tier 2 or Tier 3 stream that has a direct surface water connection to the designated river.

Env-Wt 103.33 “Major docking system” means a docking structure that:

- (a) Is a commercial docking structure, a public docking structure, or one in which docking structures impact 100 or more linear feet of shoreline;
- (b) Provides 5 or more boat slips; or
- (c) Is associated with a breakwater.

Env-Wt 103.49 “Normal high water line” for lakes or ponds means the natural mean high water elevation.

Env-Wt 104.39 “Turbidity control” means a water quality control measure, such as a coffer dam or turbidity curtain, used in water to contain silt and sediment suspended in the water column so as to prevent water cloudiness outside of the contained area.

Env-Wt 104.47 “Water access structure” means a structure without a roof or cover that typically would be an accessory structure under RSA 483-B and that, as a matter of operational necessity, is located adjacent to the shoreline because its purpose is to provide a means of entry to a surface water for swimming and similar water-related recreational activities other than boating or a location for the direct observation of swimmers or other individuals engaged in water-related recreational activities. The term includes beaches, decks, and patios, but does not include stairs, steps, or docking structures.

APPENDIX A: STATE AND FEDERAL STATUTES, FEDERAL REGULATIONS IMPLEMENTED

Rule Section(s)	State Statutes Implemented	Federal Statutes, Regulations Implemented
Env-Wt 102.30, 103.33, 103.49, 104.39, 104.47	RSA 482-A:1 - 4, 6, 8 - 34	Clean Water Act, 33 U.S.C. Chapter 26, Subchapter IV, § 1344 (Permits for Dredged or Fill Material); 33 CFR Parts 322 & 323; USACE Gen. Permit No. NAE-2016-02415
Env-Wt 103.27	RSA 482-A:1 - 4, 6, 8 - 34; RSA 483:8-a, III	Clean Water Act, 33 U.S.C. Chapter 26, Subchapter IV, § 1344 (Permits for Dredged or Fill Material); 33 CFR Parts 322 & 323; USACE Gen. Permit No. NAE-2016-02415

APPENDIX B: INCORPORATED REFERENCES [CHANGES ONLY]

Rule	Name (Date)	Available from
Env-Wt 102.30	Natural Communities of New Hampshire, 2nd Edition (2011)	UNH Cooperative Extension Taylor Hall 59 College Road Phone: (603) 862-1520 Download at no charge from: https://www.nh.gov/nhdfi/documents/webversion_tech-manual.pdf